

FREQUENTLY ASKED QUESTIONS

Annual Reports

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- 1. When is an annual report due for business corporations?*

According to G.S. 55-16-22(c), business corporation annual reports eligible to be delivered to the Secretary of Revenue are "due by the due date for filing the corporation's income and franchise tax returns. An extension of time to file a return is an extension of time to file an annual report".

At the option of the filer, an annual report may be filed directly with the Secretary of State in electronic form. An annual report required to be delivered to the Secretary of State is due by the fifteenth day of the fourth month following the close of the corporation's fiscal year.

Insurance companies subject to Chapter 58 must file their annual report directly with the Department of the Secretary of State and the due date for those reports is the fifteenth day of the fourth month following the close of the insurance company's fiscal year.

Professional corporations and Non-profit corporations are not required to file annual reports.

2. When are LLCs annual reports due?

According to G.S. 57C-2-23(c), LLC annual reports are due on or before April 15th of each year following the year of creation.

3. When an LLC files an annual report, what year is it supposed to be filed for?

LLC annual reports are due for the year in which they are filed and are not associated with an accounting year. The Report is due on April 15th of each year with current information.

4. I sent in a paper annual report last year and listed all officers. When I go to file online this year, none of the information I submitted last year is there. Do I have to do this again?

Yes. If this is the first year you are filing your annual report online, you will have to enter all of the officer information. Next year, when you file online, the officer information will already be there for you to edit. Remember, when documents are filed at the NC Secretary of State's Office, we look to the current annual report listing of officers/managers to verify the signature/name of the officer/manager signing the document.

5. I can't fill in all our officers because you do not have all the titles. I was told by the Annual Reports' Unit that I must fill them out.

Select the "Other" option under the Title drop down box and add the officers.

6. When I try to file my annual report on line, it says I owe for two years but I know I only owe for one.

If you are sure that you have filed an annual report that the website indicates is outstanding, view your entity's previously filed documents through your profile. If an annual report indeed exists for that year, ignore the website's instructions and simply file the report(s) that is actually due. To remove the errant annual report, email Customer Service at corpinfo@sosnc.com. If you find there is a problem report listed in the annual report list of documents, you will need to contact the customer service unit to determine what needs to be done to complete the filing.

7. How do I view my business profile?

From the Secretary of State website (www.sosnc.com), click Corporations Division from the menu. At Corporation's homepage, select Search by Corporate Name from the grey column at the left. Enter your business entity name. Clicking on the Entity Name in the Search Results will bring up the Profile. Here, you may view the current information of record. There are links to view document filings, print an Annual Report and file an Annual Report online.

8. When I try to file my annual report, it says I changed my registered agent, but I did not.

If you have not changed your registered agent, contact Customer Service at 919-807-2225 so we can view the problem. Keep in mind, that a "change" in registered agent is perceived by the system when any change is made in the registered agent field. For example, providing the

middle initial “A” of your long-time registered agent, “John Smith”, is considered a change, and the system will ask you to print the report and mail it in.

9. What can you do about the online electronic fee?

Nothing. We cannot eliminate the electronic filing fee. Charging the fee is the only way we can offer E-Government services to our customers and allow payment by electronic means.

We have provided a means for those customers who file multiple annual reports or purchase multiple documents. Reports or documents can be placed in a shopping cart and one electronic filing fee is applied to the total amount of the invoice – a lower overall customer expense.

10. My credit card number seems to be in a loop. I cannot see if I have been charged. I don't want to be charged twice.

If you get stuck at this point in the process, DO NOT enter the card number again or you may be charged twice. If you have lost the Internet connection, it is very likely that the transaction went through and your report was filed. You can verify this by viewing your profile to see if the report now exists as a Document Filing, or, go back into the Online Filing Editor to see if the report you just filed is still due. If it is not due, your report was filed. At any time you may contact Customer Service at 919-807-2225 to guide you through the appropriate steps.

11. I have filed my annual report, however it says “Credit Card Processing” and has said this for the past hour. How long before it finishes?

The time it takes to process a credit card is no more than 30 seconds. If the screen has not changed within 1 minute, cancel out of the screen and verify that the transaction went through by viewing your profile. If the annual report now exists as a Document Filing, or, as a report that is no longer due when you view the Online Filing Editor, your report was filed.

12. Someone told me I can file my current annual report and my status will be CURRENT in the Secretary of State database even if you have other years showing due.

This is a possibility. The Secretary of State's database is updated approximately twice per year to reflect the status of over 700,000 business entities in North Carolina. It may be possible that your outstanding annual reports are not reflected in your status at the precise moment you view your profile. However, it does not make the reports any less delinquent. It is in your best interest to file all overdue reports as soon as possible, and file all current reports on time. Delinquent annual reports are grounds for administrative dissolution. Once the entity is dissolved and the database updated, the entity's new status will be “Adm. Dissolved.”

13. I need a Purchase Order to bill my client. How can I print one?

After completing the payment transaction, a screen will appear showing all orders you have placed. Click the Invoice Number of your recent transaction. The Order Status of Documents screen will appear that assigns a Purchase Order number to the transaction. Click on the Purchase Order number to view / print a Purchase Order for your records.

14. Why aren't there better instructions for filing annual reports online?

Although we have tried to provide step-by-step instructions, as listed in the *Guide to Online Filings for Annual Reports*, we cannot address the needs of every customer. We welcome any feedback or suggestions to improve the service and ask that you direct them to corpinfo@sosnc.com. If you get “stuck” in the online filing process and need assistance, Customer Service is available to walk you through the process. It can be reached at 919-807-2225.

15. How do I file my Annual Report Online?

The steps to guide you through the online filing process for filing an annual report are contained in the *Guide to Online Filings for Annual Reports* which can be found on the Corporations Division's main webpage under the link to Guidelines.